

JAMES P. HAO
ANTHONY C. MURABITO
JOHN P. WAGNER, JR.
GLENN D. BARNES
MATTHEW J. BLECHER
THOMAS M. CALALE
JOSE S. GARCIA
ERIC J. GASH
LAWRENCE R. GOERKE
MICHAEL R. HARDAWAY
LIN C. HSU
RONALD M. POMERENKE
JOHN E. RYAN

M. DEAN MATTHEWS
WILLIAM A. ZABDIS
DAVID A. GREWERT
NEAL A. OSBORN
DAVID J. REIMLER
CAROLINE W. SMITH
ARTHUR M. TONSAGER, III
JOEL D. YOUNG

* PATENT AGENT
* PATENT ENGINEER

WAGNER
MURABITO
& HAO LLP
PATENT ATTORNEYS

TWO NORTH MARKET STREET
THIRD FLOOR
SAN JOSE, CALIFORNIA 95113
TELEPHONE: (408) 938-9060
FACSIMILE: (408) 938-9069
www.wmhhaoc.com

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FAX COVER SHEET

SEND TO: Examiner Roy, S.

COMPANY NAME: USPTO

FAX NUMBER: (703) 308-7382

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CDST-C130-1P

FILE REF: 09/588,115

FROM: John P. Wagner, Jr.

PAGE NUMBERS (including this sheet): 5 OPERATOR: D. Caldwell

Notes: Please find attached the Terminal Disclaimer to Obviate for the above referenced case as filed on June 14, 2002.

Thank you.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lee et al.

Serial No.: 09/588,115

Filing Date: December 4, 2000

FOR: MULTILAYER ELECTRODE
STRUCTURE AND METHOD FOR
FORMING MULTILAYER
ELECTRODE STRUCTURE FOR
A FLAT PANEL DISPLAY DEVICE

Examiner: Roy, S.

Art Unit: 2879

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Hon. Assistant Commissioner for
Patents
Washington, D.C. 20231

Dear Sir:

TERMINAL DISCLAIMER (37 CFR § 1.321(b))

TO OBTAIN PROVISIONAL OBVIOUSNESS-TYPE

DOUBLE PATENTING REJECTION

1. Name of Assignee: Candescent Technologies Corporation
Address of Assignee: 6580 Via del Oro
San Jose, California 95119

2. The Assignees Certify to the best of Assignees' knowledge and belief that Assignees have the entire right, title, and interest in and to the above referenced Patent Application, and represent that the undersigned is authorized to sign on behalf of the above-listed Assignees.

3. On information and belief, a copy of an Assignment or other documents that evidences placement of title of the above-referenced Application in the Assignee is recorded with the United States Patent and Trademark Office at:

CDST-C130-1P(CIP).
Examiner: Roy, S.

-1-

Serial No.09/588,115
Group Art Unit: 2879

TERMINAL DISCLAIMER
APPROVED

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Reel: 011393

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Recorded on: December 22, 2000

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A certificate under 37 CFR 3.73(b) is attached hereto.

4. Assignees disclaim the terminal part of any Patent granted on the above-referenced Application, extending beyond expiration of the full statutory term of any US Patent issuing from the copending U.S. Patent Application No. 09/421,781, filed on October 19, 1999, as presently shortened by any terminal disclaimer under 37 CFR § 1.321. Assignee hereby agrees that any Patent granted on the above referenced Application shall be enforceable only for and during such period as the legal title to said Patent shall be the same as the legal title to copending U.S. Patent Application No. 09/421,781. This agreement to run with any Patent granted on the above-referenced Application and to be binding upon the grantor, its successors, or assigns.

5. Petitioner does not disclaim any terminal part of any Patent granted on the above-referenced Application prior to the expiration of the full statutory term of a Patent granted on U.S. Patent Application No. 09/421,781 as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a), has all claims canceled by reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for a separation of legal title to the above-referenced Application.

6. Enclosed is a check under 37 CFR § 1.20(d). The attorney of record is empowered to sign on behalf of Assignee.

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Respectfully submitted,

WAGNER, MURABITO & HAO

Dated: June 14, 2002



John P. Wagner Jr.
Registration No. 35,398

Two North Market Street
Third Floor
San Jose, CA 95113
(408) 938-9060

☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

CERTIFICATE UNDER 37 CFR 3.73(b)

Applicant: Lee et al.

Application No.: 09/588,115 Filed: May 31, 2000

For: _____

Candescent Technologies Corporation, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark office at Reel 011393, Frame 0356, or for which a copy thereof is attached.

B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at

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☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name: John P. Wagner Jr. Title: Attorney

Signature:  Date: 6/14/02

CDST-C130-1P(CIP)
Examiner: Roy, S.

Serial No.09/588,115
Group Art Unit: 2879

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